

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

TIMOTHY J. MCGEE and
MICHAEL W. ZIRINSKY,

Defendants,

KELLIE F. ZIRINSKY,
JILLYNN ZIRINSKY,
ROBERT L. ZIRINSKY,
GERALDINE A. ZIRINSKY and
MARY L. ZIRINSKY,

Relief Defendants.

Civil Action No. 2:12-cv-01296-TJS

Jury Trial Demanded

**PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S
MOTION FOR SUMMARY JUDGMENT
AGAINST DEFENDANTS TIMOTHY J. MCGEE AND MICHAEL W. ZIRINSKY**

Plaintiff Securities and Exchange Commission (the "Commission"), by and through its undersigned counsel, hereby respectfully moves the Court for summary judgment against Defendants Timothy J. McGee, and Michael W. Zirinsky pursuant to Federal Rule of Civil Procedure 56, and the procedures set forth in the Court's Scheduling Order (Doc. No. 139). The Commission asks that the Court grant the relief set forth in the accompanying proposed form of order, which is incorporated into this motion as if fully set forth herein.

The Commission is also filing a memorandum in support of this motion, as well as a Statement of Undisputed Facts, with accompanying exhibits, which are both incorporated into this motion as if fully set forth herein.

Respectfully submitted,

s/ John V. Donnelly III
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Dated: February 27, 2015

CERTIFICATE OF SERVICE

I hereby certify, this 27th day of February, 2015, that I caused to be served a true and correct copy of the Plaintiff's Motion for Summary Judgment Against Defendants Timothy J. McGee and Michael W. Zirinsky, along with the Statement of Undisputed Facts, Exhibits thereto, Memorandum of Law in Support of Motion and proposed Order through the Court's electronic filing system upon the following:

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s/John V. Donnelly III
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